

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

DEVON CHRISTOPHER WENGER,

Defendant.

Case No. 23-cr-00268-JSW-2

**ORDER REQUIRING
SUPPLEMENTAL DECLARATIONS
REGARDING NOTICE RE
PROTECTIVE ORDER VIOLATIONS**

Re: Dkt. No. 241

UNITED STATES OF AMERICA,

Plaintiff,

V.

DEVON CHRISTOPHER WENGER,

Defendant.

Case No. 23-cr-00269-JSW-3

Re: Dkt. No. 622

This matter comes before the Court upon consideration of the Government's notices regarding apparent violations of the Protective Orders that govern in these cases. The Protective Orders specifically provide that "materials provided pursuant to this protective order may only be used for the specific purpose of preparing or presenting a defense in this matter unless specifically authorized by the Court." The Government has submitted evidence of materials that are covered by the Protective Orders that were published in an article on a website.¹ The Court did not authorize the use of the materials in question and those materials were not used to prepare or

¹ The Court will not include the title of the article or the website in this Order. It is contained in the Government's under seal brief.

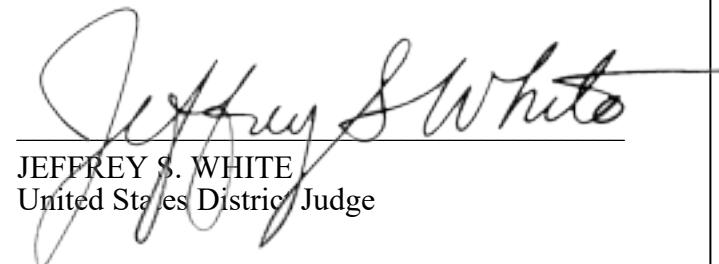
1 present Mr. Wenger's defense in court. The responses from Mr. Wenger do not dispute that
2 materials covered by the Protective Order appear in the article.

3 To further develop the record, the Court will require each of Mr. Wenger's former counsel
4 to submit a declaration to the Court addressing the questions in the Government's notices. The
5 Court will permit counsel to file those declarations under seal and *ex parte*, pending further Order
6 of the Court. Counsel shall file those declarations by no later than December 17, 2025. Once the
7 Court has reviewed those declarations, it will either require further briefing or will set a hearing to
8 address the Government's request.

9 The Court will address the pending motions to seal in a separate Order.

10 **IT IS SO ORDERED.**

11 Dated: November 25, 2025

12 
13 JEFFREY S. WHITE
14 United States District Judge